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H & M HENNES & MAURITZ, L.P.
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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
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12 SUZANNE TRAN, individually and on
behalf of all person similarly situated,

13 Plaintiff,

14 vs.

15 H & M HENNES & MAURITZ, L.P.,
16 and DOES 1 through 100, inclusive,

17 Defendants.

18 No. C 12-00555 EJD

19 STIPULATION FOR ORDER TO
REMAND MATTER TO STATE
COURT

20 [PROPOSED] ORDER

21 TO THE HONORABLE EDWARD J. DAVILA, UNITED STATES
22 DISTRICT JUDGE:

23 Defendant H & M HENNES & MAURITZ, L.P. ("Defendant") and Plaintiff
SUZANNE TRAN ("Plaintiff"), by and through their counsel of record, submit the
following Stipulation.

24 (1) WHEREAS Based on what is known at this time before discovery has
been conducted, Plaintiff has represented that she presently intends to pursue claims
25 in this case that are limited to amounts allegedly recoverable as a result of situations
in which a non-exempt management employee could not take a meal period due to
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1 being the only management employee on duty;

2 (2) WHEREAS Plaintiff has represented that the proposed class definition
3 for the new class will be: "All individuals who are currently employed, or formerly
4 have been employed by Defendant as non-exempt store management employee in
5 the positions of supervisor, department manager, assistant manager and/or store
6 manager and worked in Defendant's stores in the State of California, at any time
7 within four years prior to the filing of the original complaint until resolution of this
8 action"; and

9 (3) WHEREAS Plaintiff has represented that, in her amended complaint,
10 she will state that she currently "believes that the total recovery in this action will
11 not exceed 5 Million" but this does not prevent Plaintiff from amending the
12 representation at a later date nor Defendant's right to revisit removal in the event of
13 any such amendment.

14 IT IS HEREBY STIPULATED by the Parties, through their counsel of
15 record, as follows:

16 The above-entitled matter shall be remanded to the Superior Court for the

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1 State of California, County of Santa Clara.

2 Dated: March 15, 2012

Respectfully submitted,
MANATT, PHELPS & PHILLIPS, LLP

3 By:
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5 Andrew Satenberg
6 Attorneys for Defendant
7 H & M HENNES & MAURITZ, L.P.
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Dated: March 15, 2012

Respectfully submitted,
RIGHETTI - GLUGOSKI P.C.

9 By:
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11 JOHN GLUGOSKI
12 Attorneys for Plaintiff SUZZANE TRAN
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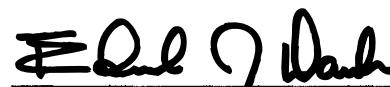
1 [PROPOSED] ORDER
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4 The Court having read the foregoing Stipulation for Order to Remand Matter
5 to State Court, it is hereby ORDERED that,
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8 The matter entitled *Tran v. H & M Hennes & Mauritz, L.P.*, Case No. No. C
9 12-00555 EJD is hereby remanded to the Superior Court for the State of California,
10 County of Santa Clara.
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13 The Clerk shall close this file.
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16 Dated: March 19, 2012
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20 EDWARD J. DAVILA
21 UNITED STATES DISTRICT JUDGE
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